

STATE BUILDING CODE TECHNICAL REVIEW BOARD  
MEETING  
February 15, 2008  
RICHMOND, VIRGINIA

Members Present

Mr. Michael A. Conner, Sr., CBO, Chairman  
Mr. J. Robert Allen, CBO, Vice-Chairman  
Mr. John W. Ainslie, Jr.  
Mr. Matthew Arnold  
Mr. J. Daniel Crigler  
Mr. John H. Epperson  
Mr. Joseph A. Kessler, III  
Mr. James N. Lowe  
Ms. Joanne D. Monday  
Mr. R. Schaefer Oglesby

Members Absent

Mr. J. C. Hawkins (Resigned)  
Ms. Patricia S. O'Bannon  
Mr. Gregory H. Revels, CBO (Resigned)  
Mr. Bruin Richardson

Call to Order

The meeting of the State Building Code Technical Review Board ("Review Board") was called to order by the Chairman at approximately 10:00 a.m.

Roll Call

The attendance was established by Mr. Vernon W. Hodge, Secretary, and constituted a quorum. Mr. Steven Jack, Assistant Attorney General and the Board's legal counsel, was also present.

Approval of Minutes

Mr. Lowe moved to approve the minutes of the January 25, 2008 meeting as presented in the Review Board members' agenda package with the correction that Mr. Ainslie was not present at the January meeting. The motion was seconded by Mr. Allen and passed unanimously with Mr. Crigler abstaining from the vote.

New Business

Appeal of Milari Madison; Appeal No. 07-10:

The appeal case had been continued from the January 25, 2008 meeting to provide an opportunity for the appellant, Ms. Milari Madison, to be present. Mr. Hodge informed the Chairman that Ms. Madison had again requested to participate in the hearing via telephone.

After discussion, Mr. Epperson moved to deny the request and hear the appeal in Ms. Madison's absence. The motion was seconded by Mr. Lowe and approved unanimously.

New Business

Appeal of Milari Madison; Appeal No. 07-10 (continued):

Messrs. Kessler and Oglesby arrived at approximately 10:10 a.m.

A hearing convened with the Chairman serving as the presiding officer. The appeal concerned a determination by the Loudoun County building official to suspend a demolition permit under the Virginia Uniform Statewide Building Code (“USBC”) for demolishing an old structure located at 40153 Janney Street, in Waterford, Virginia, property owned by Ms. Madison and her husband.

The building official’s decision was appealed by Ms. Madison to the Loudoun County USBC appeals board, which upheld the building official’s decision. Ms. Madison further appealed to the Review Board.

The following persons were sworn in and given the opportunity to present testimony:

Dennis Mitchell, for Loudoun County  
Raymond Rinaldi, for Loudoun County

Also present was:

Zaida Thompson, Esq., legal counsel for Fairfax County

No exhibits were submitted to supplement the information in the Review Board members’ agenda package.

After testimony concluded, the Chairman closed the hearing and stated a decision from the Review Board would be forthcoming and the deliberations would be conducted in open session. It was further noted that a final order reflecting the decision would be considered at a subsequent meeting and would be distributed to the parties when approved.

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New Business

Decision: Appeal of Milari Madison; Appeal No. 07-10:

After deliberation, Mr. Allen moved to uphold the Loudoun County building official's decision to suspend Ms. Madison's demolition permit as it was apparent from the evidence that work had been abandoned for more than six months. The motion was seconded by Mr. Oglesby. A vote was taken and the motion carried. Mr. Kessler voted in opposition to the motion stating that since there was no work left to be done, the permit should have been approved and closed rather than being suspended.

Secretary's Report

Mr. Emory Rodgers, Deputy Director of the Division of Building and Fire Regulation, updated the Review Board members on current activities of the Division including the updating of the codes to the 2006 editions and associated training.

Adjournment

There being no further business, the meeting was adjourned by motion of Mr. Epperson at approximately 12:15 p.m.

Approved: June 20, 2008

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Chairman, State Building Code Technical Review Board

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Secretary, State Building Code Technical Review Board